

In the  
Indiana Supreme Court



IN THE MATTER OF THE )

APPROVAL OF LOCAL RULES )

FOR BROWN COUNTY )

Case No. 07S00-1401-MS-30

ORDER APPROVING AMENDED LOCAL RULES

The judge of the Brown Circuit Court, the Hon. Judith A. Stewart, requests the approval of amended local rules for special judge selection in accordance with Ind. Trial Rule 79 and Ind. Criminal Rule 13. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Brown Circuit Court, this Court finds that the proposed rule amendments, LR07-TR79-CIV-7 and LR07-CR2.2-CRIM-11 comply with the requirements of Ind. Trial Rule 79 and Ind. Criminal Rule 13, and accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that Brown Circuit Court Local Rules, LR07-TR79-CIV-7 and LR07-CR2.2-CRIM-11, set forth as attachments to this Order, are approved effective January 1, 2014, provided further that the rules shall be posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Judith A. Stewart, Brown Circuit Court, Courthouse, P.O. Box 85, Nashville, IN 47448-0085; to the Clerk of the Brown Circuit Court; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Brown Circuit Court is directed to enter this Order and attachments in the Record of Judgments and Orders for the Courts, to post this Order and attachments for examination by the Bar and the general public, and if available, to publish this Order and attachments on the county clerk's website.

DONE at Indianapolis, Indiana, on January 16, 2014.

Brent E. Dickson  
Chief Justice of Indiana

#### **LR07-TR79-CIV-7 Special Judge Appointment in Civil Cases**

This rule shall govern the appointment of a special judge in the Brown Circuit Court in all matters in which the provisions of Trial Rule 79 require the appointment of a special judge pursuant to local rule. An eligible special judge shall be appointed from the following list of judges and magistrates from Brown County, from a county within Administrative District 21, or from a contiguous county outside Administrative District 21 if the judge of the contiguous county has agreed to serve as special judge in Brown County:

- Judge of the Bartholomew Circuit Court
- Magistrate of the Bartholomew Circuit Court
- Judge of the Bartholomew Superior Court 1
- Judge of the Bartholomew Superior Court 2
- Magistrate of the Bartholomew Superior Court 2
- Magistrate of the Brown Circuit Court (Unless recusal or disqualification of the regular judge of the Brown Circuit Court)
- Judge of the Jackson Circuit Court
- Judge of the Jackson Superior Court 1
- Judge of the Jackson Superior Court 2
- Judge of the Jennings Circuit Court
- Judge of the Jennings Superior Court

The Magistrate of the Brown Circuit Court shall not be selected if the regular judge of the Brown Circuit Court has recused or is disqualified.

The Clerk shall maintain the list of special judges eligible under Trial Rule 79(J) and shall select from the list on a rotating basis when appointment under this local rule is required. If a judge is skipped in the rotation because of ineligibility or disqualification, he or she shall be selected first for the next eligible case.

All felony and misdemeanor cases are assigned to the regular judge of the Brown Circuit Court.

In the event a change of judge is granted, or an order of disqualification or recusal is entered, in any felony or misdemeanor case pending in the Brown Circuit Court, a special judge shall be appointed in rotating order from the judges of the following courts, comprising certain of the courts contiguous to Brown County:

Bartholomew Circuit  
Bartholomew Superior 1  
Bartholomew Superior 2  
Jackson Circuit  
Jackson Superior 1  
Jackson Superior 2  
Morgan Superior 1  
Monroe Circuit 3  
Monroe Circuit 9

The Clerk shall maintain the list of special judges, and shall select from the list on a rotating basis when appointment under this local rule is required. If a judge is skipped in the rotation because of ineligibility or disqualification, he or she shall be selected first for the next eligible case.